

#2

In re the Application of

Dennis N. STAMIREs et al

Application No.: 09/246,691

Filed: February 9, 1999

For: PROCESS FOR PRODUCING ANIONIC CLAY USING TWO TYPES OF ALUMINA COMPOUNDS

Group Art Unit: 1754

Examiner: C. Nguyen

Docket No.: WPB 40864B

**PETITION UNDER 37 C.F.R. 1.53(e) FOR CONVERSION
OF CONTINUED PROSECUTION APPLICATION
TO A 37 C.F.R. 1.53(B) CONTINUATION APPLICATION**

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

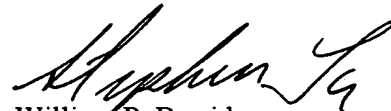
Sir:

In accordance with the provisions of 37 C.F.R. §1.53(e), Applicants' undersigned representative hereby requests the conversion of the Continued Prosecution Application filed March 15, 2002, to a Continuation Application, by way of this petition. A complete copy of the prior application, including the specification, claims, and drawings, a copy of the signed Declaration and the Decision on Petition filed on March 15 are attached as required.

Our Check No. 132089 in the amount of \$130.00 as the petition fee set forth in 37 C.F.R. §1.17(h) is enclosed. No other fees are believed to be due, as the filing fee for the CPA has already been paid. If any additional fees are necessary, the U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 15-0461.

Should there be any questions regarding this matter, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Stephen Tu
Registration No. P-52,304

WPB/SXT:amw

Date: July 1, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

RECEIVED
JUL 3 2002
TC 1700

RECEIVED

JUL 3 0 2002

OFFICE OF PETITIONS

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461



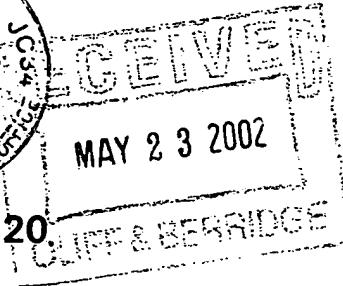
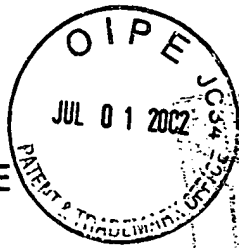
UNITED STATES PATENT AND TRADEMARK OFFICE

SXT

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Paper No. 24

OLIFF & BERRIDGE
P O BOX 19928
ALEXANDRIA, VIRGINIA 22320



COPY MAILED

MAY 20 2002

OFFICE OF PETITIONS

In re Application of
Dennis Stamires et al
Application No. 09/246,691
Filed: February 9, 1999
Attorney Docket No. WPB 40864B

RECEIVED
JUL 31 2002 ON PETITION
TC 1700

This is a decision on the petition, filed March 15, 2002 (and submitted again on May 16, 2002), to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED** as moot.

Unfortunately, the petition reached the appropriate official for decision after the patent issued on the above-identified application. It is noted that the instant petition was received in the Office of Initial Patent Examination on March 15, 2002, and not received in the Office of Petitions until recently, after issuance of the above-identified application. Petitioner's attention is directed to 37 CFR 1.313(d), which states:

A petition under this section will not be effective to withdraw the application from issue unless it is actually received and granted by the appropriate officials **before the date of issue.**

RECEIVED

JUL 30 2002

OFFICE OF PETITIONS

Petitioner may request by way of a petition under 37 CFR 1.53(e) that the 37 CFR 1.53(d) request for a continued prosecution application be converted to a 37 CFR 1.53(b) continuing application in order to have the amendment considered by the examiner. The petition to convert should be directed to the Office of Petitions and must include the filing of a complete copy of the prior application, i.e., specification, claims, and drawings, if required, and a copy of the signed oath/declaration. Information regarding the filing of a petition to convert may be obtained by calling the undersigned at (703) 305-8680.

Should petitioner choose this course of action, petitioner should include a copy of this decision with the petition under 37 CFR 1.53(e). The examiner is to make all applicable prior art rejections (not just include a statutory double patenting rejection under 35 U.S.C. § 101).

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

The patented file is being forwarded to Files Repository.


Frances Hicks

Lead Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy